

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN RE

KBI INC. SKS-45 Rifle CAL: 762  
SN:3B4191, et al.

**Misc.No.23-mc-51668**

**Honorable:**

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**Stipulation and Order Extending United States' Time to File  
Forfeiture Complaint and to Toll the Civil Filing Deadline**

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It is hereby stipulated by and between the United States of America, by and through its undersigned attorneys, and Michael Freeland, by and through his attorney, as follows:

1. On July 10, 2023, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") seized the following property:
  - a. KBI INC. SKS-45 Rifle CAL: 762 SN:3B4191 (23-ATF-026919)
  - b. Unknown Unknown Rifle CAL: Unknown SN:W37037 (23-ATF-026923)
  - c. Unknown MOSIN NAGANT Rifle CAL: Unknown SN:78228 (23-ATF-026925)
  - d. Unknown MOSIN NAGANT Rifle CAL: Unknown SN:58795 (23-ATF-026926)
  - e. Unknown Rifle CAL: Unknown SN:A5314 (23-ATF-026927)
  - f. WINCHESTER 1906 Rifle CAL:22 SN:369023 (23-ATF-026929)

- g. Unknown Rifle CAL: Unknown SN:982075 (23-ATF-026931)
- h. SAVAGE 755A Shotgun CAL:12 SN:581080 (23-ATF-026932)
- i. Unknown Rifle CAL: Unknown SN: Unknown (23-ATF-026933)
- j. Unknown MOSIN NAGANT Rifle CAL: Unknown SN:59288 (23-ATF-026934)
- k. Unknown Rifle CAL: Unknown SN:12946 (23-ATF-026935)
- l. Unknown MOSIN NAGANT Rifle CAL: Unknown SN: AH829 (23-ATF-026936)
- m. Unknown Rifle CAL: Unknown SN:90748 (23-ATF-026937)
- n. Unknown Rifle CAL: Unknown SN:4703 (23-ATF-026938)
- o. Unknown Rifle CAL: Unknown SN:7259 (23-ATF-026939)
- p. Unknown SKS Rifle CAL: Unknown SN:MB2105 (23-ATF-026940)
- q. Unknown MOSIN NAGANT Rifle CAL: Unknown SN:4818 (23-ATF-026942)
- r. WAFFENBRIK-STENDAWERKA 1900 Rifle CAL: Unknown SN:47025 (23-ATF-026944)
- s. SPRINGFIELD ARMORY,GENESEO,IL 1903 Rifle CAL: Unknown SN:849252 (23-ATF-026945)
- t. Unknown Rifle CAL: Unknown SN:49081 (23-ATF-026947)
- u. Unknown MOSIN NAGANT Rifle CAL: Unknown SN:4222 (23-ATF-026948)
- v. Unknown Rifle CAL: Unknown SN:85757 (23-ATF-026949)

- w. BROWNING Magnum Shotgun CAL: Unknown SN:49020  
(23-ATF-026950)
- x. Unknown Rifle CAL: Unknown SN:E5423 (23-ATF-026951)
- y. Unknown Rifle CAL: Unknown SN:707102 (23-ATF-026952)
- z. SAVAGE STEVENS 67RXL Shotgun CAL:12 SN:E677005  
(23-ATF-026954)
- aa. Unknown Rifle CAL: Unknown SN:54136 (23-ATF-026955)
- bb. Unknown Rifle CAL: Unknown SN:470107 (23-ATF-026956)
- cc. Unknown Rifle CAL: Unknown SN:60676 (23-ATF-026957)
- dd. Unknown 1911 Pistol CAL: Unknown SN:63728 (23-ATF-  
026958)
- ee. Unknown Rifle CAL: Unknown SN:10609 (23-ATF-026959)
- ff. Unknown Rifle CAL: Unknown SN:4520 (23-ATF-026960)
- gg. Unknown Rifle CAL: Unknown SN:R573 (23-ATF-026961)
- hh. Unknown Revolver CAL: Unknown SN:36090 (23-ATF-026962)
- ii. Unknown Rifle CAL: Unknown SN:87167 (23-ATF-026963)
- jj. Unknown Rifle CAL: Unknown SN:92041 (23-ATF-026964)
- kk. Unknown Unknown Rifle CAL: Unknown SN:53785  
(23-ATF-026965)
- ll. Unknown Pistol CAL: Unknown SN:38246 (23-ATF-026966)
- mm. Unknown Rifle CAL: Unknown SN:54719 (23-ATF-026968)
- nn. REMINGTON ARMS COMPANY, INC. 12B Rifle CAL:22

SN:379339 (23-ATF-026970)

- oo. Unknown Rifle CAL: Unknown SN:57338 (23-ATF-026971)
- pp. Unknown Rifle CAL: Unknown SN:94372 (23-ATF-026972)
- qq. Unknown Rifle CAL: Unknown SN:15199 (23-ATF-026974)
- rr. Unknown Rifle CAL: Unknown SN:16904 (23-ATF-026975)
- ss. Unknown Rifle CAL: Unknown SN:X35044 (23-ATF-026976)
- tt. Unknown Rifle CAL: Unknown SN:130613 (23-ATF-026977)
- uu. Unknown Rifle CAL: Unknown SN:0048503 (23-ATF-026978)
- vv. Unknown Rifle CAL: Unknown SN:88910 (23-ATF-026979)
- ww. Unknown Rifle CAL: Unknown SN:12151 (23-ATF-026980)
- xx. Unknown Rifle CAL: Unknown SN: Unknown (23-ATF-026981)
- yy. Unknown Rifle CAL: Unknown SN:12144 (23-ATF-026982)
- zz. Unknown Rifle CAL: Unknown SN:5070 (23-ATF-026983)
- aaa. Unknown Rifle CAL: Unknown SN:65073 (23-ATF-026984)
- bbb. Unknown Rifle CAL: Unknown SN:52056 (23-ATF-026985)
- ccc. Unknown Rifle CAL: Unknown SN:21322 (23-ATF-026986)
- ddd. Unknown Rifle CAL: Unknown SN:31079 (23-ATF-026987)
- eee. Unknown Rifle CAL: Unknown SN:55976 (23-ATF-026988)
- fff. Unknown Rifle CAL: Unknown SN:8547 (23-ATF-026989)
- ggg. Unknown Rifle CAL: Unknown SN:1018 (23-ATF-026990)

hhh. Unknown Rifle CAL: Unknown SN:26692 (23-ATF-026991)

iii. Unknown Rifle CAL: Unknown SN:86504 (23-ATF-026993)

jjj. Unknown Rifle CAL: Unknown SN:K1184 (23-ATF-026994)

kkk. Unknown Rifle CAL: Unknown SN:145 (23-ATF-026996)

lll. Unknown Rifle CAL: Unknown SN:14165 (23-ATF-026998)

(referred to herein as the "Property").

2. The Parties acknowledge and stipulate that Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") provided notice as required by 18 U.S.C. § 983(a)(1)(A) of the seizure and its intent to administratively forfeit the Property to all known interested parties, including to the claimant, Michael Freeland.

3. Michael Freeland filed a claim in the administrative forfeiture proceeding with ATF regarding the Property. No other person has filed a claim to the Property in the administrative forfeiture proceeding.

4. ATF referred the administrative claim to the United States Attorney's Office for civil judicial forfeiture proceedings.

5. Pursuant to 18 U.S.C. § 983(a)(3)(A) and (B), within 90 days after a claim has been filed in an administrative forfeiture proceeding, the United States is required to do one of the following:



- (a) file a complaint for forfeiture against the claimed property,
- (b) return the claimed property, or
- (c) include the claimed property for forfeiture in a criminal action,

in order for the United States to take further action to effect the civil forfeiture of the claimed property in connection with the underlying offense, unless the court extends the deadline for good cause shown or by agreement of the parties. In this case, the 90-day deadline would be **December 4, 2023**.

6. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to extend the 90-day deadline set forth in 18 U.S.C. § 983(a)(3)(A) and (B), and to toll the deadline, in order for the parties to have a reasonable and sufficient period in which to evaluate their respective interests in and positions regarding the Property.

7. The claimant knowingly, intelligently, and voluntarily gives up any rights he may have under 18 U.S.C. § 983(a)(3)(A) and (B) to require the United States to file a complaint for forfeiture against the Property, to return the Property, and/or to include the Property for forfeiture in a criminal action by **December 4, 2023**.

8. The parties agree that the deadline by which the United States shall be required to file a complaint for forfeiture against the Property, to return the Property, and/or to include the Property for forfeiture in a criminal action to toll the civil filing deadline shall be extended **90 days from December 4, 2023 to and including March**

**3, 2024.**

9. The claimant waives all constitutional and statutory challenges related to the foregoing extension and gives up any rights he may have to seek dismissal of any civil forfeiture complaint and/or any criminal forfeiture allegation in a criminal action on the ground that forfeiture proceedings were not timely commenced. The claimant, Michael Freeland, further waives and agrees to the tolling of any rule or provision of law limiting the time for commencing, or providing notice of, forfeiture proceedings with respect to the Property, including, but not limited to, the limitations contained in 18 U.S.C. § 983 and 19 U.S.C. § 1621.

10. The claimant agrees that until the United States files a complaint for forfeiture against the Property and/or alleges forfeiture of the Property in a criminal action, or until **March 3, 2024**, whichever occurs first, the Property shall remain in the custody of the United States and the claimant shall not seek its return for any reason in any manner.

11. By signing below, Scott R. Ruark, declares that prior to signing this Stipulation, he provided a copy of it to the claimant, Michael Freeland, consulted with the claimant regarding its contents, and the claimant, Michael Freeland, authorized his counsel, Scott R. Ruark, to sign this Stipulation.

12. By their signatures below, the Parties agree to all of the terms and conditions stated herein.

Approved as to form and substance:

Dawn N. Ison  
United States Attorney

S/Catherine E. Morris

Catherine E. Morris (P84371)  
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Dated: November 27, 2023



Scott R. Ruark (P81336)  
Attorney for Defendant  
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Dated: November 30, 2023

**IT IS SO ORDERED.**

/s/Terrence G. Berg

UNITED STATES DISTRICT JUDGE

Dated: November 30, 2023